

MINUTES

IMPERIAL BEACH CITY COUNCIL REDEVELOPMENT AGENCY PLANNING COMMISSION PUBLIC FINANCING AUTHORITY

MAY 27, 2009

**Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

SPECIAL MEETING – 6:00 P.M.

SPECIAL MEETING CALL TO ORDER

MAYOR JANNEY called the Special Meeting to order at 6:00 p.m.

ROLL CALL

Councilmembers present:	McCoy, King
Councilmembers absent:	None
Mayor Pro Tem present:	Bragg
Mayor present:	Janney

Staff present:	City Manager Brown; Deputy City Attorney Foster; City Clerk Hald
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MAYOR JANNEY asked everyone to rise and pause for a moment of silence in remembrance of Councilmember Fred McLean.

PUBLIC COMMENT

MAYOR JANNEY, along with COUNCILMEMBERS MCCOY and KING and MAYOR PRO TEM BRAGG, conveyed their deepest sympathies and condolences to the family of Councilmember McLean; they spoke about his dedication to the City of Imperial Beach and how much he will be missed.

REPORTS

1. FILLING A VACANT COUNCIL POSITION. (0430-05)

CITY MANAGER BROWN gave a PowerPoint presentation explaining the options available for City Council to fill the City Council vacancy: the City Council could call for a Special Election for November 2009 or appoint someone; if an appointment is desired, the appointment can be made either to fill the remainder of former Councilmember McLean's term with an election in November 2012 or to fill the term until a Special Election in November 2009 or 2010 (with enactment of an ordinance), he stressed the selection process for the appointment is at the discretion of the City Council; and he introduced Deputy City Attorney Lisa Foster who recently handled the Mayor and City Council vacancies in the City of Poway.

MAYOR JANNEY closely observed how the Cities of Poway and Coronado conducted their City Council vacancies and how the City of Chula Vista conducted their appointment for

Port Commissioner; he stressed that filling a vacancy can be very political and difficult on those who apply; he suggested an appointment be made to fill the vacancy until a Special Election held in November 2010, rather than a Special Election in November 2009, which would cost approximately \$135,000; he recommended appointment of former Mayor Diane Rose to fill the vacancy until the November 2010 election, at which time there would be an election to fill the seat for the remainder of the term to November 2012; he spoke about Ms. Rose's vast amount of experience with and her care for the City of Imperial Beach; he also spoke about how this option would avoid a difficult process as experienced in other jurisdictions.

In response to questions of City Council, DEPUTY CITY ATTORNEY FOSTER stated should City Council call an election for November 2010 in conjunction with an appointment, that election would only be for the remaining two years of Councilmember McLean's term; she explained the cost of having an additional seat listed on the November 2010 ballot would be nominal, whereas a standalone election in November 2009 could cost \$135,000 (as estimated by the Registrar of Voters).

DIANE ROSE, former Mayor of Imperial Beach, stated she had previously spoken to Mayor Janney, she expressed a desire to the City Council and to the community to serve an interim appointment to fill Councilmember McLean's term until the November 2010 election; she added she had worked with Councilmember McLean for a number of years; and if appointed she would honor his memory, she noted these are difficult times and she could step in without a learning curve, she is aware of issues and how the Council works; she would bring with her cohesiveness and continuity and has no political agenda; she stressed that she is not interested in running for election.

COUNCILMEMBER KING favored the idea to have someone fill the position until November 2010; he suggested Council focus on process at this time; he appreciated Ms. Rose's offer, especially since she is not looking for a political career and that she would not run again, leaving it open for others to run without having someone in the incumbent position.

In response to Mayor Janney's question regarding if it would be appropriate at tonight's meeting for a motion to appoint Ms. Rose to fill Councilmember McLean's seat until 2010, DEPUTY CITY ATTORNEY FOSTER stated there are a number of options available to City Council with this being one of them; she added the decision could be made provided there are sufficient votes.

MAYOR PRO TEM BRAGG was not in support of a Special Election that would cost \$135,000.

MOTION BY JANNEY, SECOND BY BRAGG, TO APPOINT FORMER MAYOR DIANE ROSE TO FILL THE TERM OF FRED MCLEAN UNTIL THE YEAR 2010.

COUNCILMEMBER MCCOY spoke in support for someone who is willing to serve and then stepping down in 2010; it would be a level playing field for those running in 2010; and she spoke in support of appointing Ms. Rose to fill the vacancy.

MAYOR JANNEY stated this shows that we are willing to make the tough decisions to keep moving forward; he expressed his desire for not conducting public interviews and added this is an opportunity that has presented itself.

DEPUTY CITY ATTORNEY FOSTER suggested the motion be amended to include direction to staff to bring an ordinance back that would be required for this interim appointment/Special Election process; the ordinance could be approved at the next meeting and would take effect immediately.

The maker of the motion and seconder agreed to the amended motion.

COUNCILMEMBER KING agreed that Ms. Rose's appointment would serve the public's interest and allows getting on with the business of government; she is experienced, and she has no intent in running for office; it will be beneficial for the community and help move the process forward.

VOTES WERE NOW CAST ON AMENDED MOTION BY JANNEY, SECOND BY BRAGG, TO APPOINT FORMER MAYOR DIANE ROSE TO FILL THE TERM OF FRED MCLEAN UNTIL THE YEAR 2010 AND DIRECT STAFF TO BRING BACK AN ORDINANCE AS REQUIRED BY LAW. MOTION CARRIED UNANIMOUSLY.

CITY MANAGER BROWN announced that a vacancy announcement will appear in the local papers tomorrow; staff will advise those interested in applying that City Council chose not to go through the application process.

MAYOR JANNEY requested the local reporters print a retraction; he explained the notice was sent out due to the time constraints.

ADJOURNMENT

MAYOR JANNEY adjourned the meeting at 6:24 p.m.

James C. Janney, Mayor

Jacqueline M. Hald, CMC
City Clerk